



The Importance of Developing Government in Afghanistan

by Scott R. Lewis

While at RAND Corporation, Robert Komer was commissioned by the Defense Advanced Research Projects Agency (DARPA) in 1972 to develop an understanding of the organization and management of the counter-insurgency (COIN) campaign in Vietnam. The main finding of his report, publicly available on the web, is that the United States' focus on building a strong military for the Government of the Republic of Vietnam came at the expense of recognizing the importance of the country's culture and building a functioning bureaucracy. He indicated that an Army without a functioning government became our undoing.¹ That is, the country unraveled because it did not have the capacity to provide government services to its people. In this vein, the "Ministerial Development" mission being conducted by the Department of Defense (DoD) on behalf of the people of Afghanistan is of paramount importance to the outcome of the campaign. While the DoD is also focused on rapidly generating and training viable military (171,000) and police (157,000) forces to the tune of approximately one billion dollars per month, ultimately, it is the Ministerial Development mission with which our long-term success lays.

This article will walk through the current state of affairs, limiting factors and elements of reform of the Ministerial Development mission in Afghanistan. The premise is that legitimate government is aided by police who serve and protect the public. In turn, building the public's trust is the key ingredient to stability and therefore an important component of COIN strategy. The police are the public face of government as they are the ones who interact with the citizens each and every day. They have unique capabilities in achieving the goal of good governance even when confronted by violence and insecurity.² On this last point, the article will explain the importance of the Ministerial Development mission, the challenges to these efforts, and some of the reform efforts that will help advance the Ministry of Interior Affairs. While it is very important to appropriately develop and manage the requisite forces, it is equally important to develop a functioning and sustainable ministerial system.

What does Ministerial Development mean? It is the effort of building a legitimate government, one that is able to provide essential services and security to the population. In the case of the DoD, it means creating a self-sustaining Ministry of Defense (MoD) and Ministry of Interior Affairs (MoI) that can project an internal security capability across the country and its borders as well as providing law and order to the citizens in each of the 365 Districts of Afghanistan. Growing and maintaining effective leaders, teams, and processes to support and sustain military and police forces are the critical components to this mission. These are reflected in the shape of logistics centers, recruiting centers, training academies, criminal investigation

¹ Komer, Robert, "Bureaucracy Does Its Thing," RAND, 1972.

² Bailey, David and Perito, Robert, *The Police in War*, Lynne Rienner Publishers, 2009, p151.

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units, riot control teams, emergency first responders, medical professionals, and civilian specialists in many fields such as budget, procurement, information technology, intelligence, public affairs, and facilities. With the challenges of rampant corruption, continued insurgency, wide-spread illiteracy, and an inconsistent existence of security and rule of law, this mission is a tall order. While the U.S. government has provided significant support over the past ten years, the specific focus on Ministerial Development has only existed in the last three. Additionally, the United States and its Coalition partners have pledged continued support through 2014, when the Government of the Islamic Republic of Afghanistan (GIROA) will complete its transition and take responsibility for its own security.

Current State of Affairs

The Ministerial Development mission falls under the auspices of the United States' Combined Security Transition Command – Afghanistan (CSTC-A) a component of the NATO Training Mission – Afghanistan (NTM-A). Specific advisor teams are assigned to both Ministry of Defense and Ministry of Interior Affairs. These advisor teams provide focused training and coaching to their Afghan counter-parts. Their counter-parts, mostly first and second tier ministerial officials, receive daily mentoring and many even choose to take part in language and computer instruction. Some leaders are effective and progressive while others are “survivors,” vestiges of the former Soviet, Mujahedeen, and Taliban governments. Until recently, there was no form of government retirement system so the Ministries were quite “top-heavy” and employees were more focused on protecting their own position rather than the responsibilities of the collective office. However, for the past twenty months, heavy expectations for reform and progress have been placed upon these leaders. Much of this reform has been codified, and progress is monitored and reported on a quarterly basis. Some of these progress reports can be found in U.S. Congressional reports (e.g. Sec 1230).³

For the past decade, the Counter-Terrorism mission and subsequent COIN mission have dominated the debate for the future of Afghanistan. Without a doubt, militarily turning away Al Qaeda and the Taliban is one critical path to peace and security. However, the development of a police mission, is more critical to the legitimacy of the government than a mere military build-up. Police forces are tied to the local community in a way that the military is not. Police forces tend to work within the communities they have strong ties to such as families. As such, they have a vested interest in keeping their area of responsibility safe. As a result, when the police provide law and order, they win the hearts and minds of the local population (or at least, begrudging acceptance and trust). While there are still many instances of Afghan police preying upon local Afghans, many NMT-A programs are now in place to help reverse these behaviors. For example, NTM-A is sponsoring many democratic policing programs such as police-sponsored sports, fire and emergency education for children, and civil society-facilitated Shuras, the Afghan word for local governance meetings, between the local Afghans and its police force. The anecdotal evidence observed so far is that these events have fostered positive cooperation between the police and the population it serves, and has built trust and a more positive image of the police. An additional significant benefit garnered from this type of structured interaction is derived from the increased reporting of threats to the police by the local Afghans.

³ Semi-Annual Report to Congress in accordance with the 2008 National Defense Authorization Act (Section 1230, Public Law 110-181).

The conditions for progress and reform require additional work. A notable example of this assertion was illustrated at a recent civic event in Kabul hosted by a local non-governmental organization, and funded by the USAID, in which kites were to be distributed to 500 children at Nader Khan Hill. Unfortunately, an Afghan police unit arrived and took center stage with their poor behavior.⁴ Instead of providing security and serving as a shining example of a protective police force of Afghanistan, they stole kites for themselves and chased children away who complained. Ironically, the purpose of the event was to generate interest in rule of law and gender equality. This example and other more serious instances of violence and corruption against the public underscore the point that continued police reform is necessary, and indeed, paramount to mission success in Afghanistan. While some of this behavior can be modified with continuing education and training, there are more fundamental issues that need the international community's attention. Until the police learn how public trust is gained as a result of providing essential services, understand the importance of their stabilizing role among the public, and how the contribution of their actions lend to the legitimacy of the government, the Afghan people will continue to fear the police and view them as thugs with badges.

As mentioned previously, Ministerial Development is an essential component to the successful end of the campaign in Afghanistan. It is through the Ministerial Development process that NTM-A seeks to empower the leaders of the Ministry of Interior Affairs to achieve and sustain self-sufficiency across thirty capability areas of development (see Figure 1). Each capability area contains a multi-year work plan that breaks down the individual steps to self-sufficiency. Coupled with each plan, Afghan leaders receive support from teams of advisors that bring specialized experience in leadership, management, business and police skills. This system of review, measurement, and reporting contributes greatly to the management of building the Ministry of Interior Affairs into a self-sufficient organization. Currently, the majority of the plans are in capability milestone (CM) two, though there are a few that have reached CM one.

Public Affairs	Inspector General	Anti-Corruption	Legal Affairs	Intelligence	Counter-Narcotics
Strategic Planning	Policy Development	Force Management	Personnel Management	Logistics	Finance and Budget
Facilities and Installation Management	Surgeon General	Information, Communications, and Technology	Training Management	Acquisition and Procurement	Civil Service
Afghan Uniform Police	Afghan Border Police	Police Special Units	Anti-Crime	Civil Order Police	Public Protection Forces
Afghan Local Police	Operations Planning	Force Readiness	Central Prison Directorate	Community-based Policing	Gender Affairs and Human Rights

Figure 1. List of Ministerial Development Plans

These plans are reviewed on a quarterly basis to ensure that there is adequate participation from the Afghan leaders and no major impediments to progress. This quarterly review process also contains an evaluation mechanism to measure the progress of each plan toward the goal of transition to Afghan ownership. The rating system breaks down capability into four color-coded alphanumeric milestones. If a capability is rated at four, it denotes that the police have little to no capability and Coalition forces are performing most of the work; a three denotes that police are performing some of the work, but that Coalition forces still provide significant support; a two indicates a partnership where the police are developing more and more

⁴ Nordland, Rod, "Afghan Equality and Law, but With Strings Attached," New York Times, September 24, 2010.

capability, but that the Coalition steps in to ensure that the job gets done; and finally, a one indicates significant police capability where the Coalition forces continue to monitor, but provide limited support. It is at this point where transition of leadership for a capability area moves to Afghan officials' responsibility. NTM-A's end-state is to advance all Ministerial Development plans to CM one by 2014.

In turn, Afghanistan has pledged its support of this development process by publishing several strategy documents that largely commits to Ministerial Development activities. These documents are called the National Police Strategy and National Police Plan. They are multi-year plans that set priorities and goals, and describe the actions required to achieve them. They also serve to identify roles and responsibilities for the various directorates and operational police forces across the MoI. The leadership within the MoI is also beginning to understand how to enforce/compel implementation of these documents through an internal tracking mechanism led by their Strategy Directorate. Overall, there have been numerous achievements in maturing the MoI within the GIRoA including: 1) multiple police forces have been built (Gendarmerie, Border, Criminal Investigators, Patrolmen, and Village Stability). 2) Implementing specialized training programs have been implemented for procurement officers, financial analysts, medical specialists, logisticians, and communications officers. 3) wide-spread community-based policing program and a formal police development process has been developed.

Over the past year, there has been significant progress with regard to Ministerial Development for MoI. The number of initiatives has grown as the Afghans have received specialized training and filled numerous professional positions. There has been a tremendous focus on recruiting and training thousands of policemen across a variety of disciplines from border police to gendarmerie to criminal investigators. To mature and refine the Ministerial Development mission, the NTM-A advisor team has similarly grown in size and skill. What began as a small military team supported by a few contractors now includes senior civil servants in highly specialized career fields, including policemen. The adjustment in time-frame of the mission from 2011 to 2014 has also helped set realistic goals to build, educate, and train sustainable institutions for the GIRoA.

Limiting Factors of Development

While Ministerial Development is on a positive path, there are some inherent challenges and limiting factors with ministerial efforts in Afghanistan. Some of the obvious ones include cultural inclinations towards tribalism, a complex history of allegiances (Soviet, Mujahedeen, Taliban, and Expats), and a loose confederacy among provincial, ethnic, criminal lines. As a result, there are clear tensions within the central government which can cause friction within and therefore, difficulty in achieving ministerial level progress. While there are flashes of collaboration and coordination as seen in a modern rules-based bureaucracy, tribal, ethnic, and political tensions make this activity irregular and unreliable. This causes workload paralysis based on fear or reliance on senior leaders to make low-level administrative decisions, hoarding and sale of equipment, horse-trading of resources between leaders, and full out corruption.

Another well-known challenge for Afghanistan, and the progress of ministerial efforts, is the elimination of corruption. In the last assessment by the United Nations, Afghanistan ranked as the third most corrupt country in the world.⁵ Much like what transpired in Iraq, there is wide-

⁵ http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results

spread scheming among Afghan officials to hoard resources in preparation for Coalition forces withdrawal and the end of international contributions. It is well documented that Afghanistan practices a patronage system; what they see as a cultural norm, we see as purchase of office, akin to the Boss Tweed days of the latter half of the 19th Century in the United States. With the amount of aid entering the country, the rate of corruption is hard to determine, but is observed throughout. The types of corruption take all forms from simple lack of accountability of materiel, skimming of Afghan National Security Force salary funds called “ghost accounts”, contract fraud, vehicle checkpoint extortion, and narcotics smuggling using government resources. Afghan and Coalition forces are working to counter the corruption, but the patronage system and a weak rule of law hamper progress. Making matters worse, often, when officials are investigated and arrested for their corruption, the justice system lacks the political will to prosecute them or there is interference in the guise of bribes or patronage.

Related to this challenge is the concept of separation between ministerial officials and operational forces or in police parlance: superintendence. This topic is written about quite frequently concerning other democratic nations. The basic concept as defined by Dr. Philip Stenning, a leading expert in police development, is that the police must be subject to control and be accountable for their actions through legitimate political, judicial, and administrative processes.⁶ The fear, and often the practice, in Afghanistan is that political and ministerial leaders often misuse the police for their partisan or own personal aims. This is the main cause for many of the instances of internal corruption and abuses carried out by the police. To overcome this challenge, ministerial leaders must adhere to the democratic principles that protect the safety and rights of the people and not tolerate interference into the actions of the police. It must be stipulated in law and practice that they are responsible for developing and achieving long-range goals, budgeting for equipment and training, and developing policy to name a few and that they cannot be actively involved in tactical activities such as planning operations or participating in cases. These concepts have been explored and codified in many first world countries such as the United Kingdom, Canada, and Australia, and also successfully implemented in many developing countries such as Nigeria and India.

The past reform efforts of the police forces in Afghanistan roughly matches the patchwork of their society. One can find Asiatic, Germanic, Turkic, Persian, Indian ancestry and still call yourself an Afghan. In much the same fashion, the reform efforts of the police have their roots in various international policing norms and styles. This is mainly attributed to the lack of cohesion of the Coalition’s past police development efforts; especially prior to 2009 and establishment of the NTM-A. While this is evidence of the international community’s willingness to assist Afghanistan’s Ministry of Interior Affairs, it also does not provide coherency across the board or fit with the cultural norms of the people. For example, the police law was developed by Italian advisors. They employ an inquisitorial system of law where “agents of the court are actively involved in investigating the facts of the case, as opposed to an adversarial system where the role of the court is primarily that of an impartial referee between the prosecution and the defense.”⁷ This legal approach is incongruent with other nations’ advising efforts such as training investigators in an evidentiary system. If Ministerial Development is to succeed, these kinds of legal and procedural differences must be rationalized.

⁶ Stenning, Philip, “The Police Politician Paradigm,” Commonwealth Human Rights Initiative, 2009, pg3.

⁷ http://en.wikipedia.org/wiki/Inquisitorial_system

It will require major collaboration among Coalition partners, MoI, the Ministry of Justice, and Parliament.

Finally, the literacy level across Afghanistan hinders not only ministerial progress, but all progress associated with advancing the country. This is a well-known and much discussed issue of epic proportion; however, the impact must not be ignored. NTM-A trainers have reported that up to 86% of the new recruits for the Army and Police are illiterate. While there are programs in place to raise the literacy and numeracy levels of most people in the government to a third grade level, this will take years to accomplish. There is an entire lost generation of people of Afghanistan that require education, training, and development. Until such time, progress toward creating a functioning government is very slow outside a small remaining cadre of Soviet-era educated leaders due to the thin ranks of the literate and educated.

Elements of Reform

Challenges persist for the police at different levels. This is not an indictment of development efforts, but an opportunity to refine and mature the larger development strategy. To date, the focus has been on building forces and systems in support of the COIN campaign. Due to the U.S. surge and establishment of common development objectives through NTM-A, this aspect of the mission has been successful. The training has improved and become more specialized and security conditions have improved. In addition, retention levels have stabilized. However, there are many activities that the international community can pursue to accelerate Afghan self-sufficiency such as reforming the civil service (e.g. hiring civilians outside the Kabul region; bolstering community engagement efforts to improve the reputation and behavior of the police; improving the linkage between investigative and prosecutorial capabilities to counter corruption; and expanding and promulgating police operational policies across the country).

In July of 2010, the MoI issued a ministerial decree to form the Institutional Reform Working Group (IRWG) which was comprised of several Afghan leaders and Coalition advisors with the MoI to investigate and recommend reforms to improve the ministry's organization and functions. The early assessment of the IRWG identified two areas of immediate concern that need to be addressed in order to make any meaningful movement toward a functioning and sustaining MoI. The first area of reform focused on building an effective MoI that is functionally distinct from police operations. This is perhaps the most important and most difficult reform to achieve. It is critically important as the differentiation of functions would create a more corruption resistant structure that limits the ability of the political elements to apply inappropriate influence on the police. The second major area of reform focused on creating oversight and accountability measures that will ensure the police perform at an acceptable standard and that they remain accountable both to their political masters and to the people of Afghanistan. International best practice indicates that there should be multiple accountability and oversight mechanisms. At a minimum these should include independent civilian oversight, effective internal affairs mechanisms and an enforceable code of conduct. In the end, this study group recommended eight specific lines of effort for further investigation and action (asterisk indicates recommendation that has turned into action):

Operational Police Reform

- **Community Engagement / Building Legitimacy:** Afghan civil society and international community initiatives have engaged police in community-consultation events to strengthen responsiveness and accountability. These limited events have achieved positive results both in building public trust in the police, and connecting police to community resources that help them perform their duties more effectively, which then strengthens public confidence even further. There are many different programs that can extend and enhance these measures such as school safety instruction from firemen and policemen, police-sponsored sporting events, rewarding good police behavior by the community, and education opportunities where civil society participates with the government to co-develop programs of instruction for new police.*
- **Functional Autonomy of Police:** Through review of international best practices, and existing academic literature, it is apparent that there must be a functional distinction between the political elements of the MoI and the police operational elements. This differentiation, described as superintendence, creates clear and distinct roles for each element and contributes to an effective and corruption resistant MoI and police force.*
- **Police Leadership / Executive Development:** In order for the Afghan National Police to effectively manage the full spectrum of police operations independent from the MoI, there is a requirement to create a cadre of professional and capable police executives and non-commissioned officers. This will be an enduring process that begins with transparent, merit based, selections and promotion and is facilitated through experience, education, and deliberate executive development.*
- **Legal Authorities / Legislative Changes:** The current suite of legislation may not provide a full legal foundation to conduct some of the required reforms. The Afghan Constitution, Police Law, and other legislation need to be examined to determine what is achievable within the current legislation and where the priorities for legislative amendments exist.
- **Police Operational Policy:** Police policy provides detailed guidance for the police at the tactical level; however, it also has a significant strategic effect. Police policy creates a standard for the behavior of the police, which will result in a common service expectation amongst the public, and it becomes the standard against which the police can be held accountable. All of these serve to legitimize the police and by extension strengthens the GIRoA. This initiative is especially important for the junior- and mid-grade officers as there is a huge gap in numbers and capability between them and their superiors.*
- **Police Accountability and Oversight:** In a democratic society, the police are entrusted with significant powers: the ability to deprive citizens of freedom, the state authorized use of deadly force, the ability to search and seize private property among others. Along with these powers comes an increased expectation of accountability. There must be mechanisms in place to ensure the police do not abuse the powers they are entrusted with and that they remain accountable to the people of Afghanistan. Through review of international best practice, there are multiple oversight mechanisms including dependent civilian oversight bodies.*

Ministerial Reform

- **Civilian Leadership / Ministerial Function:** The Ministry of Interior Affairs needs to be strengthened to create a robust Ministry that will provide the police strategic policy guidance and an enabling environment free from inappropriate political influence.*
- **Building Civil Service:** In order to facilitate the effective function of the Ministry, there is a requirement to build a professional cadre of civil servants who will act as the linkage between the GIRoA and the Afghan National Police. As a result of this recommendation, there is now a Ministerial Development plan in place to define and measure progress of its development.*

Building on the momentum of the IRWG, in May of 2011, NTM-A formed an internal team to review and coordinate all reform efforts for the police called International Police Policy Development. This initiative has gained the interest of the Minister and as a result, he signed a decree to authorize several actions: 1) Develop an Organizations and Functions Manual which will establish balance between the ministerial departments by setting roles and responsibilities of each. This will also align the MoI with other Ministries such as Justice, Finance, and Education. 2) Initiate the development of a Police Policy manual to provide direction and guidance to police units and patrolmen regarding the conduct of their duties in accordance with Afghan Law and Constitution. This activity is already underway from the IRWG era and includes major aspects for both operational and administrative policy that directs, sustains, and enables efforts for all patrolmen. 3) Assign three Afghan-led steering groups under the supervision of Deputy Minister for Security, Deputy Minister for Strategy and Policy, and the Deputy Minister for Administration and Support. The MoI Chief of Staff (CoS) will facilitate and participate on behalf of the Minister. The three steering group leaders will drive their prospective groups in order to develop and coordinate prospective operational requirements that link the various police units to ministerial direction and police progression. The process will assess the main short and long term issues for each department of the Ministry and will support its relationship to Ministerial Development and ultimately transition.

There is also one important element to Ministerial Development that will progress police development: collaborative skills sets and functions. Through 2009, CSTC-A and then NTM-A relied heavily on military personnel and support contractors comprised mainly of former military personnel. This was in response to taking over the police development mission rather quickly from the Department of State. In short order, though, NTM-A realized it needed to recruit specialized skills for its advisor team. Experts have made this point, such as the following quote from *Parameters*: “[it is hard] in the midst of an insurgency to build the necessary foundations for peace when those organizations best capable of such feats, including the military, fear or fail to tread where they are needed. Neither military nor civilian efforts alone can succeed. Only comprehensive programs pursued through well-integrated military and civilian activities provide reasonable prospects of counter-insurgency success.”⁸ This is an important distinction and evolution of thinking in how to conduct major military campaigns. However, the author falls short in describing the full range of potential personnel for such missions and the growing role civilians play in COIN. He goes on to state that “previous military experience and familiarity are valuable adjuncts to the functional skills they bring to bear on the key problems of an

⁸ Lacquement, Richard, Jr. “Integrating Civilian and Military Activities,” *Parameters*, Spring 2010, p32.

insurgency.”⁹ This typifies the idea of what the military looks for in civilian candidates; focus on former military qualifications first, functional experts second. While this is prudent policy for understanding personal safety and chain of command, it places limits on recruiting the top talent for fields like personnel, finance, management, policy, public protection, border control, and community engagement to name a few.

In measuring its impact and mandate to build a functioning MoI, NTM-A sought to build its advisor team with civil servants and professional police from Coalition partners. The Commander of NTM-A requested the DoD send up to 100 civil servants to serve as advisors through the Ministry of Defense Advisor (MoDA) program in support of both the MoD and the MoI. The civil servants deployed under MoDA receive an intensive seven weeks of training on how to be an effective advisor as well as language and culture training. In addition, the NTM-A Deputy Commander for Police Development undertook a major recruiting campaign for policemen. In the span of 12 months, the police mission added over 30 civil servants and nearly 40 Coalition policemen to the advisor mission. The additions have proved to be a force multiplier for the mission. The command has developed an advisor teaming approach pairing the civilians and police with the military. The specialized expertise brought by these constituencies has been a vast improvement to the mission. The command now has expertise in organizational design, contracting, community-based policing, border police, criminal investigation, intelligence-based policing, and logistics to name a few, and is well positioned to address the complexity of issues and challenges of forming a mature police force.

Conclusion

For many years, pundits have commented that Afghanistan is not ready to focus on Ministerial Development or civilian policing objectives. Instead, they claim, the coalition should focus on developing forces and the COIN fight. In fact, it is crucial to pursue both in parallel. Lessons from our history argue the truth in this approach. The former Under Secretary of State George Ball believed that “Hanoi has a government and a purpose and a discipline. The „government” in Saigon is a travesty. In a very real sense South Vietnam is a country with an army, but no government.”¹⁰ In these terms, the mission to develop a viable Afghan government is just as important to combating Al Qaeda, the Taliban, and organized crime networks. The Ministerial Development mission and reform efforts are in place. NTM-A has a roadmap to reach MoI self-sufficiency by 2014 and supporting reform efforts to counter many of their challenges. As most plans, many may not survive first or even second contact, but these efforts scope the necessary components for Ministerial Development. In additional, there is a strong team of Coalition advisors for the MoI totaling just over 300, which in comparison to the thousands of military personnel on the ground in Afghanistan represents a pretty strong value proposition for success.

Above all, though, people must understand the time-scale of such a complex undertaking. The Honorable Vygaudas Ušackas, the European Union Ambassador designate to Afghanistan and former Lithuanian Minister of Foreign Affairs made an astute comment on this matter. After receiving a briefing on the IRWG recommendations, he praised the effort, but also commented that it took his home country of Lithuania nearly twenty years to accomplish similar reforms. This comment underscores the imperative of this kind of campaign. It will take an entire

⁹ Ibid, pg27.

¹⁰ Ball, George, USG Memorandum, “Cutting our losses in South Vietnam”, June, 1965.

generation. Are the people of Afghanistan and the Coalition partners prepared for such a commitment?

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